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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,888	12/28/2000	Janne Mikael Haavisto	442-010006-US(PAR)	8460

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Perman & Green
425 Post Road
Fairfield, CT 06430-6232

EXAMINER

VU, NGOC YEN T

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,888

Applicant(s)

HAAVISTO, JANNE MIKAEL

Examiner

Ngoc-Yen T. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2000.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-13 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 26 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement, filed 12/26/2000, has been placed in the application file, and the information referred to therein has been considered as to the merits.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

4. Claim 1 is objected to because of the following informalities: line 4, change "said colour measurement unit" to -said white balance measurement unit--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-10 and 12-13 are rejected under 35 U.S.C. 102(e) as being anticipated by
Lebens et al. (US #6,095,661).

Regarding claim 1, in figures 5-11, Lebens '661 teaches a white balance measurement unit for measurement of the intensity of illuminating light (150) of at least two light components making up the illuminating light, wherein said color measurement unit comprises at least one LED for generating an electronic measurement signal corresponding to the intensity of at least one of said light components in said illuminating light (col. 9 lines 52-66; col. 11 line 32 – col. 12 line 24; col. 15 lines 21-32)

As to claim 2, Lebens teaches that the unit comprising at least one dedicated LED for each one of said light components for generating an electronic measurement signal for each one of said light components (col. 9 lines 24-51; col. 10 line 65 – col. 11 line 31; col. 12 line 5 – col. 13 line 14).

As to claim 3, Lebens teaches a white balance adjustment device (Fig. 5, hand held camcorder 500; Fig. 10, machine vision 1000) wherein the device comprises a white balance measurement unit according to claim 1.

As to claim 4, Lebens teaches that the device comprising an input for receiving at least two electronic color signals each corresponding to one of said light components (Fig. 5, video imager circuit 570; Fig. 10, CCD camera 14), and an adjusting means for adjusting proportional

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strength of said color signals corresponding to said electronic measurement signals (Fig. 10, image processor 15; col. 9 lines 52-66; col. 14 line 59 – col. 15 line 12).

As to claim 5, Lebens teaches that that the device has means for controlling an electrical image signal using the electronic measurement signal (col. 9 lines 24-51; col. 10 line 65 – col. 11 line 31; col. 12 line 5 – col. 13 line 14).

As to claim 6, Lebens teaches that the device comprises at least one LED that is arranged to be used both for white balance adjustment and for exposure control (col. 14 line 35 – col. 15 line 12).

Regarding claim 7, Lebens teaches a recording device (Fig. 5, hand held camcorder 500; Fig. 10, machine vision 1000) for recording an image in an electronic form (recorder 580) (col. 11 lines 31-51) comprising:

a white balance adjustment device comprising a white balance measurement unit for measurement of the intensity of illuminating light of at least two light components making up the illuminating light (col. 9 lines 52-66; col. 11 line 32 – col. 12 line 24; col. 15 lines 21-32), wherein

said white balance measurement unit comprises at least one LED for generating an electronic measurement signal corresponding to the intensity of at least one of said light components in said illuminating light (col. 9 lines 24-51; col. 10 line 65 – col. 11 line 31; col. 12 line 5 – col. 13 line 14); and

said recording device comprises a means for capturing an electronic image of an object (Fig. 5, video imager circuit 570; Fig. 10, CCD camera 14).

As to claim 8, Lebens teaches that the recording device has means for adjusting balance of at least two color components of the captured electronic image on the basis of the measured intensity of illuminating light of at least two light components (Fig. 10, image processor 15; col. 9 lines 52-66; col. 14 line 59 – col. 15 line 12).

As to claim 9, Lebens teaches that said device is selected for the group consisting of: a digital camera, a video camera, a digital video camera, a TV-camera and a mobile station (col. 5 lines 52-67; col. 9 lines 24-30; col. 11 lines 32-51; col. 14 lines 59-64).

As to claim 10, Lebens teaches that at least one LED is arranged to generate an electronic measurement signal at a certain time and to generate light at another time (col. 9 lines 24-51; col. 10 line 65 – col. 11 line 31; col. 12 line 5 – col. 13 line 14; col. 14 line 35 – col. 15 line 12).

Regarding claims 12 and 13, they are method claims corresponding to the apparatus claims 1 and 7, respectively. Therefore, claims 12 and 13 are analyzed and rejected as previously discussed with respect to claims 1 and 7.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lebens '661.

As to claim 11, claim 11 differs from Lebens in that the claim further requires the recording device comprising a mobile telephone. Official notice is taken that it is well known in

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the art to have a camera and a mobile telephone integrated in a compact and hand-held device in order to transmit images and audio data wirelessly. It is noted that Lebens further teaches that the present invention provides a compact and portable light source for illuminating an object, several objects or areas for human use (col. 5 lines 52-61). For the above reasons, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the compact and portable light source taught in Lebens in a mobile telephone.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc-Yen T. Vu whose telephone number is 703-305-4946. The examiner can normally be reached on Mon. – Fri. from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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